

# Statement

FIRST  
EDITION

TUESDAY, JANUARY 28, 1969

Sir George Williams University has become embroiled in a racial controversy. Many find it difficult if not impossible to figure out what is going on. Rumors, accusations and distortions abound. The issues involved are, to name a few, justice, freedom and the affirmation of the dignity of all men. The issues are huge, the information is small. This leads to strain.

One thing is clear. Representative members of the University are now in the process of resolving the specific issues involving Professor Anderson. It is important that every member of the University be made fully aware of the facts of the case. But the "Anderson Affair", which appeared overnight on the TV news, had been long brewing behind the walls of the University. It is imperative that all members of the University community examine closely the institution and the society in which this "affair" has arisen.

More specifically, the events of recent weeks have raised the need for a well-defined set of principles pertaining to the rights and responsibilities of the various elements of a university.

Responding to this kind of an analysis of the situation, an ad hoc group of students and faculty held meetings since Saturday. This group came together with the knowledge of the Principal who encouraged the idea of university-wide discussions on "the just exercise of rights and responsibilities by faculty and students". At the same time, it was clear that the group should not concern itself with the arrangements for inquiring into the specific case under investigation. To this end, the meetings were held off University grounds.

The group met for the first time on Saturday morning. At that time, for the purpose of clarifying the nature of the issues to be discussed, the events leading up to the specific case were outlined. (A "Chronicle of Events" was undertaken by one of the working groups) The review of these events led to the decision that the immediate objective of the group should be to formulate and structure a form for discussion of three basic issues. They all relate to the continuing functioning of the university and the administration of justice within the community.

The three specific issues were:

1. Student rights and responsibilities
2. Faculty rights and responsibilities
3. Procedures and limits for providing freedom of a university

The group then divided into small working groups with the objective of preparing key questions and commentaries (contained herein), in the hope that they would serve as a basis for discussion by the University community.

The people listed below were among the participants in the deliberations and work of the ad hoc group. They felt, and continue to share, the deep concern of the whole University community about the issues being raised. In the hope of maintaining a workable and productive group however, they did not seek to enlist additional help. It should be understood that not everyone was necessarily in agreement with all the recommendations contained in the working papers. Nevertheless, the working papers and recommendations express the consensus of the majority of the individuals present.

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(f) J. Borden  
(f) M. Butovsky  
(f) C. Callaghan  
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(s) A. Carsley  
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(s) M. Cutler  
(f) M. Despland  
(f) N. Fletcher  
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(f) N. Herscovics  
(s) A. Hilton  
(f) J. Jackson  
(s) T. Jukelevics  
(s) M. Kalles  
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(f) C. Potter  
(s) G. Power  
(s) D. Rosenbaum  
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(s) B. Schwartz  
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# Student Rights and Responsibilities

Following is the text of a "statement on rights and responsibilities of students", originally prepared by representatives of five educational institutions in the United States and amended to suit the conditions at Sir George Williams. The institutions concerned are:

The American Association of University Professors.

The Association of American Colleges.

The United States National Student Association.

The National Association of Student Personnel Administrators.

The National Association of Women Deans and Counsellors.

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. As members of the academic community at Sir George, students should be encouraged to develop the capacity for critical judgement and to engage in sustained and independent search for truth.

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate conditions in the classroom, on the campus and in the larger community, students should exercise their freedom with responsibility.

The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community. The University has a duty to develop policies and procedures within the framework of general standards and with the broadest possible participation of the members of the academic community. The purpose of the ensuing statement is to enumerate the essential provisions for student freedoms to learn.

## I. FREEDOM OF ACCESS

The admissions policies of Sir George Williams, while an institutional choice, must make clear the characteristics and expectations of students which it considers relevant to success in its programs.

Under no circumstances should a student be barred from the University on the basis of race, color, creed, ethnic origin, nationality, or socio-economic class.

Thus, within the limits of its facilities, Sir George Williams should be open to all students who are qualified to its admission standards. The facilities and services of Sir George should be open to all of its enrolled students, and the University should use its influence to secure equal opportunity for all students in the local community.

## II. IN THE CLASSROOM

The student, in the classroom and in conference, has a right and a duty to engage in relevant and appropriate discussion. Student evaluation should be based solely on academic standards, not on opinions or conduct in matters unrelated to academic matters.

### a) Protection Against Improper Academic Evaluation

Students should have protection through orderly procedures against prejudiced or capricious academic evaluation. At the same time, they are responsible for meeting standards of academic performance established for each course in which they are enrolled.

### b) Protection of Freedom of Expression

Students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgement about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

## QUESTIONS TO CONSIDER

**Preamble:** What is the nature of the academic community in general, and how does this apply to students in particular?

### 1. Freedom of access

What are the general characteristics of the University's admission policies?

### 11. In the classroom

What are your feelings about student rights in the classroom in the following areas:

- protection of freedom of expression
- protection against improper academic evaluation
- protection against improper disclosure
- protection against erroneous advertisements of course contents

### 111. Student records

How should the student's academic and disciplinary records be handled with respect to disclosures and maintenance?

### IV. Student affairs

What are your feelings about the following areas of student life:

- freedom of association
- freedom of inquiry and expression
- student participation in University government
- student publications

### V. Off-campus freedom

What are your feelings about the nature of student rights and responsibilities as members of an academic community in the following areas:

- exercise of rights and citizenship
- University authority and Civil penalties.

### c) Protection Against Improper Disclosure

Information about student views and beliefs which professors acquire in the course of their work as instructors, advisors, and counselors should be considered confidential. Students should have protection against improper disclosure of such matters. Judgements of ability and character may be provided under appropriate circumstances, normally with the knowledge or consent of the student.

### d) Protection Against Erroneous Announcing of Course Content

The student has a right to receive correct and current information about the nature and content of the courses in which he is about to enroll.

### e) Responsibility for Decorum

The student has the responsibility to conduct himself in a civil manner, in keeping with the atmosphere of an academic constitution. The student should not subject any member of the community to either verbal or physical insult, intimidation or degradation.

## III. STUDENT RECORDS

Sir George Williams should have a carefully considered policy as to the information which should be a part of a student's permanent educational record and as to the conditions of its disclosure. To minimize the risk of improper disclosure, academic and disciplinary records should be separate, and the conditions of access to each should be set forth in an explicit policy statement.

Transcripts of academic records should contain only information about academic status. Information from disciplinary or counselling files should not be available to unauthorized persons on campus, or to any person off campus without the expressed consent of the student involved except under legal compulsion or in the cases where the safety of persons or property is involved. No records should be kept which reflect the political activities or belief of the student.

Provision should also be made for periodic routine destruction of noncurrent disciplinary records. Administrative staff and faculty members should respect confidential information about students which they acquire in the course of their work.

## IV. STUDENT AFFAIRS

In student affairs, certain standards must be established and maintained if the freedom of students is to be preserved.

### a) Freedom of Association

Students bring to Sir George a variety of interests previously acquired and develop many new interests as members of the academic community. They should be free to organize and join associations to promote their common interests.

1) The membership, policies, and actions of a student organization should be determined by vote of only the students who are members of the University Community.

2) Affiliation with an extramural organization should not of itself disqualify a student organization from institutional recognition.

3) Student organizations may be required to submit a statement of purpose, criteria for membership, rules or procedures, a financial statement, and a current list of officers of the Students' Association. They should not be required to submit a membership list as a condition of official recognition.

4) Organizations under the auspices of the Students' Association, including those affiliated with an extramural organization, should be open to all students without respect to race, creed, religion, or national origin.

### b) Freedom of Inquiry and Expression

1) Students and student organizations should be free to examine and to discuss all questions of interest to them, and to express opinions publicly and privately. They should always be free to support causes by orderly means which do not disrupt the regular and essential operation of the University. At the same time, it should be made clear to the academic and larger community that in their public expressions or demonstrations students or student organizations speak only for themselves.

2) Students should be allowed to invite and hear any person of their own choosing. Those routine procedures required by the University before a guest speaker is invited to appear on campus should be designed only to insure that there is orderly scheduling of facilities and adequate preparation for the event, and that the occasion is conducted in a manner appropriate to an academic community. The institutional control of campus facilities must not be used as a device of censorship. It should be made clear to the academic and larger community that sponsorship of guest speakers does not necessarily imply approval or endorsement of the views expressed, either by the sponsoring group or the University.

### c) Student Participation in University Government

As constituents of the academic community, students should be free, individually and collectively, to express their views on issues of University policy and on matters of general interest to the student body. The student body should have clearly defined means to participate in the formulation and application of University policy affecting academic and student affairs. The role of the Students' Association and both its general and specific responsibilities should be made explicit, and the cations of the student government within the areas of its jurisdiction should be reviewed through orderly and prescribed procedures.

### d) Student Publications

Student publications and the student press are a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and on intellectual exploration on the campus. They are a means of bringing student concerns to the attention of the faculty and the administration and of formulating student opinion on various issues on the campus and in the world at large.

The student newspaper should be editorially independent and financially separate from the university administration. Where financial autonomy is not possible, the University may have to bear the legal responsibility for the contents of the publications. In the delegation of editorial responsibility to students, the Students' Association must provide sufficient editorial freedom and financial autonomy for the student publications to maintain their integrity of purpose as vehicles for free inquiry and free expression in an academic community.

The Students' Association has a responsibility to provide written clarification of the role of the student publications, the standards to be used in their evaluation, and the limitations on external control of their operation. The editorial freedom of student editors and managers entails corollary responsibilities to be governed by the canons of responsible journalism, such as the avoidance of libel, idency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo. As safeguards for the editorial freedom of student publications the following provisions are necessary:

1) The student press should be free of censorship and advance approval of copy, and its editors and managers should be free to develop their own editorial policies and news coverage.

2) Editors and managers of student publications should be protected from arbitrary suspension and removal because of student, faculty, administrative, or public disapproval of editorial policy or content. Only for proper and stated causes should editors and managers be subject to removal and then by orderly and prescribed procedures. The agency responsible for the appointment of editors and managers should be the agency responsible for their removal.

3) All university published and financed student publications should explicitly state on the editorial page that the opinions there expressed are not necessarily those of the University or student body.

## V. OFF-CAMPUS FREEDOM

### a) Exercise of Rights of Citizenship

University students are citizens and members of the academic community. As



# Faculty Rights and Responsibilities

Students are unhappy about something. One cannot help noticing. The shout is heard around the world. Professors, the other major group in the community of scholars must respond. Not necessarily with a louder shout. This statement is presented as a basis for a dialogue on what that response should be.

The statement emphasizes responsibility, there is assumed, by a Golden Rule mechanism, a reciprocal right. The responsibility to be reasonable implies a right to be treated reasonably.

The statement emphasizes person-to-person communication over station-to-station communication. And so it should. We tend to deal with one another in terms of categories — student, professor, administrator. Our community is suffering from a hardening of the categories. Talking person-to-person, we find that there are no villains but only people like ourselves trying to do their best under trying circumstances. How many malicious people did you meet today?

The statement emphasizes informality over formality. And so it should. Students are tired of bulletins packed with "whereases", "insofars" and other "ases" and of announcements oozing with pious platitudes. (Project for today. Read the statement beginning "the fundamental educational philosophy —" on pages 35 and 36 of the Sir George Williams University announcement and consider how accurately it reflects your day-to-day life. How many persons did you develop today?).

The statement emphasizes the general situation over any specific issue. And so it should. We tend to react to specific events rather than to act on general principles. An issue is often simply a device to force a confrontation. "We manufacture issues" says one frank student activist.

The statement emphasizes general principles rather than specific rules. We should not be guided by catalogues of rights and responsibilities but by a gentleman's agreement. We must trust one another.

The professor has responsibilities to himself and a complex of overlapping groups to which he belongs ranging, in ever-increasing circles, through his students, his department, his university, his professional organizations, his discipline, the international academic community. Those responsibilities conflict, not through any contradiction in the various roles involved, but because of the simple fact that there are only 24 hours in a day. Most professors have chosen the profession because they like to teach and learn, read and write, talk and listen. If the criterion of success is the number of hours out of 24 one doing what he likes, most professors are most unsuccessful.

## QUESTIONS TO CONSIDER

- 1) What changes in the nature of universities are being demanded by dissatisfied students?
- 2) What is the present role of the professor?
- 3) What changes should be made?
- 4) How should the professor's time be divided between teaching, research and administration?
- 5) How should the professor's performance be evaluated, and by whom?
- 6) How can the generation gap be bridged? Is it a communication gap? credibility gap? value gap?
- 7) How can teaching be improved? Technology, blow up the professor?
- 8) What philosophy of education is built into the Hall building? Is it a desirable one? What is the optimal physical environment for learning?
- 9) What is the optimal relationship between professor and student? professor and professor? professor and administration?
- 10) Is the problem of relevance to link thought to action? Is the professor committed to get involved, and if so, how?

Many hours are spent doing research. Certainly we are responsible for generating new information as well as transmitting old information. Too much research however is forced by pressure rather than inspired by passion. We are hired to teach but evaluated for research. The threat "publish or perish" (in Canada "publish or prairies") hangs over our heads. We must scurry to publish some obscure articles in some obscure journal on some obscure topic to fill our quota.

Many hours are spent doing administrative work. Committed to numerous committees, we find ourselves attending meetings and shuffling papers. As the number of members in our community of scholars increases, the number of communication links increases exponentially. The democratic process which is based on communication gets very cumbersome with so many links to maintain.

We are seen in an entirely different light from the other side of the podium. Many students suspect that we work little more than the 8 hours a week 8 months a year officially scheduled. In some cases, those suspicions are not entirely unfounded. Since the job description is so loose, there is a temptation to fulfil only the minimum requirements and some of us at some times find very humanly that the best way to deal with temptation is to succumb to it. There should however be some mechanism to protect the student from our too human foibles.

Many students, while realising that we work hard, question the distribution of our energies. They would prefer that we spend more time teaching and less time doing research and administration. So would we. They should know this. The student power movement is not only forcing this shift in emphasis but at the same time making it feasible. Already, under pressure from students, administrators are beginning to emphasize teaching ability as a basis for hiring and promoting professors. Already, student representation on committees is beginning to take the administrative load off the faculty. Students are beginning to play their full role as members of the community of scholars.

Many students complain about us. They complain that we are not approachable or, if approachable, not available. Some even see us as adversaries and the student-professor partnership breaks down. They complain that we teach, if not from the same dusty old notes, at least with the same dusty, old teaching methods.

The last great innovation was the Socratic dialogue. Technology is feared because it may make the teacher obsolete. Anyone who can be replaced by a machine should be replaced by a machine. They complain that they can't complain. There is no official mechanism for them to air their grievances. Going to the department chairman is useless since he is reluctant to tread on tender, tenured toes. Many students complain but now a few students are beginning to demand that their complaints be heard.

Students are becoming increasingly alienated from the huge industrial-military complex (the System) and the people identified with it (the Establishment). They see children being starved in Biafra and wheat being dumped in Saskatchewan. They see children being killed in Viet Nam and the shape of a table being debated in Paris. They see simple solutions. It is futile for us to continue intoning "things are more complicated than they seem". They are right and we know it. Perhaps the time has come for simple solutions. The University has failed to support their ideals. They see it simply as another part of the system. A four-year layaway plan for industry. A multiversity to serve the Megacity. Here they are only partly right but we provide little evidence that they are wrong. It should be clear that we are marching to a different drum from the Establishment. It should be clear that their ideals of truth and justice and their hopes for a better world were not discovered by them but have been an essential part of the academic tradition for centuries.

The generation gap is not so much a communication gap as a credibility gap. They know perfectly well what we are saying but they don't believe us. Beyond that, there is a value gap. They know what we are saying and they believe that we believe what we are saying but they don't accept it.

We must close gaps before they become unbridgeable chasms.

We excuse ourselves from listening to student activists on the grounds that they cannot state precisely what they want. They indeed appear to be saying "WE DEMAND all sorts of things" or "we don't know what we want but we know we want it badly". Inarticulate as it may be, we cannot ignore their plea. You don't refuse to answer a cry for help because it is inelegantly phrased. It is hard to enunciate clearly as you are being strangled.

We excuse ourselves also on the grounds that they are Communist dupes, wild-eyed revolutionaries, rabble-rousers or whatever the current epithet is. Any movement does indeed collect peripheral undesirables but the movement is basically a grassroots movement of idealistic youth against cynical age. The Berkeley radical identifies more with the Czech student that he does with the Berkeley businessman. When we approve the Czech student and frown on the Berkeley student, we should remember that they are both on the same side of the barricade with entrenched, oppressive authority on the other. They are fighting the same war. Young men are tired of fighting old men's wars. The next war could very well be between generations rather than between nations.

Students are confronting professors throughout the world. So far our response has been less than adequate. We tend to under-react to the mild, reasonable request and over-react to the extreme, unreasonable request. Students come with a problem and we listen sympathetically but pass them on to the next office; the problems acculate to a point at which they occupy the department and we call the police. We tend to leave the initiative to the student and react with adhocery-pocery, hotlines and military strategies, panic and repression. Is it too much to ask that we talk to them? That we find out what they want? Not the manifest content of what they want — cheaper books, higher grades — but the latent content of what they want — the personal longings not being satisfied in an impersonal society. When confronted with a group of angry people, we should not simply ask "How can we appease them?" or "How can we protect ourselves from their anger?" but "Why did they get so angry in the first place?"

In the crisis of respect which confronts us, professors should be serving as models to the students. We tend, instead, to run off like a bunch of old ladies, clutching our handbags, or get righteously indignant about imagined slights to imagined dignities. We can attach true dignity only by asserting our faith in reason and truth and justice and standing by them. It is only human for us to cling to the comfortable cloistered life of the ivory tower, but the students demand that we be superhuman. And so they should. And so we should.



# Procedures and Limits of Freedom

## PREAMBLE

When this institution came into being, thirty-five years ago, it was, by its very nature, a unified community of interested and committed teachers and serious and motivated students. This atmosphere has recently been challenged. This is a result of both the tensions being undergone by North American society as a whole and the burgeoning growth of Sir George Williams in particular. Issues which could formerly be settled in an informal way suddenly require codified procedures. That these procedures have not been available during the present situation attests to the fact that the University's recent growth has been far more acute than had previously been imagined.

In providing such procedures and extensions and limitations for members of the University community several factors must be taken into account. To begin with such a task must be performed within the framework of a liberal social mainstream. That is, freedom must be the priority but similarly, because human interaction demands that the freedoms of one individual must at some point be curtailed in order to preserve the right of another, this premium on personal freedom of action must be married with precisely defined limitations.

There are, clearly, in an institution such as Sir George Williams, any number of potential conflicts. This section deals with inter-function conflict (i.e. student-faculty, faculty-student, administration-student, student-student) in the main. The initial emphasis in matters of conflict should, we believe, be placed upon commu-

## QUESTIONS TO CONSIDER

### PROCEDURES:

1) Are students qualified to judge students in conflicts involving:

a) university vs. student

b) faculty vs. student

c) student vs. student

2) Can impartiality be guaranteed in the members of either the faculty or student hearing committee (or appeal board) if they are "chosen" in automatic rotation?

3) As the first stage in our procedure of any conflict includes communication between the conflicting parties, will this step (or for that matter, can this step) be successful in resolving the conflict and reducing the number of formal hearings?

4) Is the concept of judgement by one's peers desirable?

5) Should it be decisive in formulating procedure?

6) Concerning proof beyond a reasonable doubt is it better that 10 guilty people go unpunished

than one innocent one be sanctioned?

7) To what extent can the University impose sanctions?

### FREEDOMS:

1) How much can the University compromise its academic freedoms in response to community pressure?

2) When does a member of the University Community cease being an individual and begin to be construed as a representative of that community?

3) To what extent a) can any member of the university

b) should any member of the university be limited in his exercise of basic or peripheral freedoms outside the university, as a result of his membership within the university community?

4) If it is agreed that sanctions be imposed on a member of the university community for the over-extension of freedoms, what sanctions can be imposed?

have sought to provide institutionalized avenues through which any member of the University community can seek redress for wrongs which he believes have been committed against him.

### Procedures for the resolution of Disputes

1) In the event that a student feels that he is receiving unfair treatment at the hands of a faculty member he must first communicate this feeling to the faculty member involved.

2) If this communication does not, in the opinion of the student bear fruitful results, he should then, in consultation with the chairman of the department involved make a last attempt to resolve the dispute in an unofficial manner.

3) If neither course of action proves satisfactory, the student is then entitled to lodge a formal complaint on a standard form provided by the Dean of Students' Office.

4) If a member of the faculty wishes to resolve a dispute between himself and a student, he should first consult with a student appointed by the Students' Association for this purpose and the chairman of the appropriate department.

5) In the event that these steps are unsuccessful, formal charges may be laid at the Dean of Students' Office.

6) Disputes involving student and student, or the university and student should first attempt to be solved between the two parties. If this should prove unsuccessful, formal charges can be laid at the Dean of Students' office.

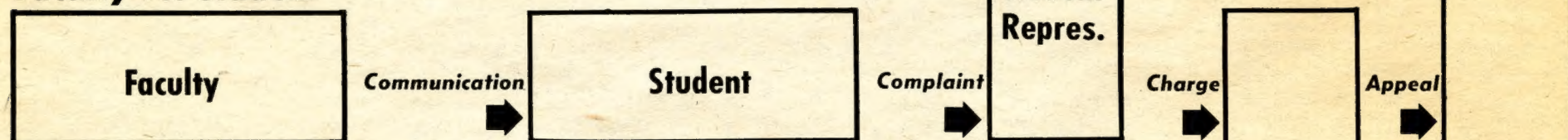
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## SUGGESTED PROCEDURE

### Student vs. Faculty



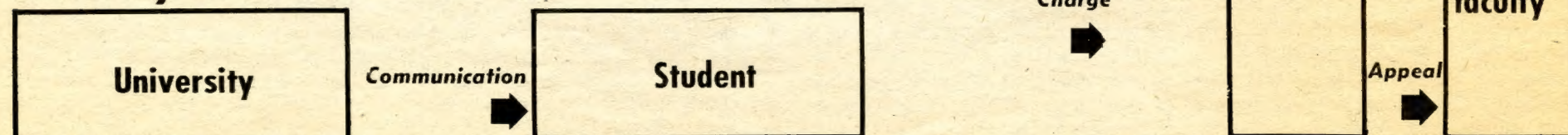
### Faculty vs. Student



### Student vs. Student



### University vs. Student





## Procedures

Continued from page 4

It should be pointed out that members of the University community might mutually desire to attempt to resolve their differences informally through the Dean of Students office as an initial step.

## DISCIPLINARY PROCEDURES

### Offenses:

1) All disciplinary offenses or infractions should be defined in a code and no act or omission not so defined should constitute a disciplinary infraction.

2) Disciplinary infractions should be limited to those which interfere directly with the academic functions of the University or with the rights and freedoms of the various members of the academic community.

3) The conduct of students outside the university grounds or even on university grounds but which does not interfere with the academic functions or with other members of the academic community, no matter how reprehensible or objectionable, should not be included.

4) Criminal offenses committed on university property but which do not interfere with academic functions or with members of the academic community, fall solely within the jurisdiction of the Courts.

### Penalties:

1) The range of penalties as well as the maximum penalty should be specified for each infraction.

2) The range of penalties should be flexible and comprise admonishment, reprimand, posting of security, fines, probation, suspension and expulsion, either alone or in combination.

3) If a student is suspected of cheating at an examination and is prevented from finishing the examination, he has in fact been prejudged and prejudiced. A student suspected of cheating should be identified but permitted to terminate the examination which will then be corrected in the ordinary course but the validity of which will be subject to the outcome of the disciplinary hearing.

4) In the case of suspension or expulsion these penalties shall not come into effect unless ratified by the Appeal Board. As added protection these penalties should also be ratified by the Principal after the decision of the Appeal Board.

5) The Principal or final disciplinary authority at the university should always be informed of all penalties and have a right of remission.

### Jurisdiction:

1) An Appeal Board should have as its primary function the jurisdiction to hear only of appeals against conviction and the imposition of penalties. There should not be any appeal from an acquittal.

### Procedure:

1) All disciplinary proceedings must be initiated by a written and signed complaint submitted to the Office of the Dean of Students.

2) If a decision is made to give effect to the complaint the accused student or faculty member should be given a written notice specifying the name of the complainant, the details of the alleged offense

including all particulars thereof, the provision of the disciplinary code which the accused is alleged to have infringed, the maximum penalty to which the accused is exposed and time and place of the scheduled hearing of the Disciplinary Tribunal.

3) A minimum delay of seven days should be provided.

4) Provisions should be made to permit the accused to plead guilty in order to avoid unnecessary disciplinary hearings.

5) There shall be no legal representation at the court of first instance.

6) Both parties may produce, examine and cross examine witnesses.

7) All hearings should be in camera unless the accused involved requests public hearings. In other words, the publicity of the hearings should be entirely within the discretion of the accused. The same should apply to the charges themselves.

### Hearing Procedure:

1) The committee shall consist of three students (in the event that the accused is a student) — (three faculty members, in the event that the accused is a member of the faculty). They shall be chosen in rotation from a list comprised of 15 students and 15 faculty members selected in September by S.G.W.A.U.T. and 15 students and 15 faculty members selected at the same time by the Students' Association. Both lists shall be cross-ratified. Rotation shall be on the basis of alphabetical order. In the event that the proscribed procedure yields a committee member or members who are a) a member of the same department as the accused or b) in any way connected with the case, such member or members will be skipped over in the rotation.

### Evidence:

1) The burden of proof beyond a reasonable doubt rests with the plaintiff.

2) Evidence could be in writing or by the testimony of witnesses and should be sworn to.

3) Only relevant evidence can be permitted and evidence of past conduct should not be allowed except that before imposing a sanction the tribunal should be apprised of previous disciplinary sanctions imposed or of the fact that the student has no record.

4) No evidence should be adduced and no document should be considered in the absence of one of the parties except in absentia proceedings if they are necessary.

5) The evidence should be either summarized in writing as it is given by the secretary of the committee and provision should be made for its recording by stenography and on magnetic tape.

6) Whenever it is intended to produce documents copies thereof should be made available to the accused as soon as feasible.

7) Either party should have the right to recuse any member of the committee for bias interest or relationship but the grounds of recusal should be stated and adjudicated by the remaining members of the committee.

8) The tribunal may proceed in absentia if the accused defaults except in cases of force majeure or circumstances beyond the control of the accused, the whole in the discretion of the committee. The committee shall be permitted to communicate its decision verbally but all decisions should be confirmed in writing and communicated to the accused, the plaintiff, the Vice-Principal Academic and the Principal.

### Function of the Dean of Students Office:

1) The Dean of Students Office shall be responsible for a) providing standard forms on which complaints may be registered, b)

informing the accused in the afore-mentioned manner, c) determining the composition of the appropriate committee in accordance with rotation procedures and provide each member with a copy of the charges.

2) The Dean of Students Office shall provide secretarial assistance required for a verbatim report of the proceedings to be presented to the accused, the plaintiff, and the committee within seventy-two hours after termination of the proceedings.

3) Shall secure and provide a recording device which will be used to provide an unofficial account of the proceedings.

### Appeal Board:

1) The Appeal Board shall consist of three students and three faculty members derived in the same manner as the court of first instance.

2) Four of the six members of the Appeal Board shall be accord in order for a decision to be rendered.

3) Appeals must be lodged with the Dean of Students Office no later than 5 days after the initial decision has been rendered.

4) Further appeals (in the case of a faculty member) must be lodged with C.A.U.T.

5) Further appeals (in the case of students) must be made to the Principal.

### Contempt:

1) No comment shall be made on a case being heard in the public media. For the purposes of this section the public media shall be defined as:

a) newspapers, b) radio, c) television, d) leaflets, e) public meetings.

2) No one who participates in any way in camera hearing shall make any public statement as to its existence or substance.

3) Anyone violating either/or sections one and/or two of this section shall be liable to disciplinary proceedings.

## FREEDOM OUTSIDE THE UNIVERSITY

The difficulty in setting guidelines that restrict freedoms of the members of the

university community in actions outside the university lie in the difficulty of creating a dichotomy between a) the individual as an individual and b) the individual as a member of the university community. It must be realized that there are instances where-by the individual is acting (or speaking) on his own behalf, and conversely there are times when the individual may be acting as a representative of the community. The problem, however, may be further complicated when the individual is exercising his freedom as an individual, but is regarded as a representative of the institution (the reverse of this is also true). Clearly, the solution of this problem lies in the responsibility of the individual to qualify his role, either as an individual or a representative. In the event that he is acting as an individual, he is solely responsible for the university, it is the institution which bears the responsibility of the individual actions.

The process of statement of role, as in the case of the individual, is not quite as simple for a group of members of the University Community and their actions outside the university. With regard to the activities of groups of individuals acting in the role of individuals, hear the responsibility of their actions, and should not imply association with the university. It is evident that this procedure can only take place with good faith of the members of the university community and cannot be enforced a priori. In the case where university groups are representing the university externally, it is clear that they would be so commissioned a priori.

In conclusion, it is the responsibility of the individual to clearly state his role when acting outside the university, when in fact there might be a conflict of interests. On the other hand, good faith on the part of interests. On the other hand, good faith on the part of groups outside the university is the only method by which the freedoms of the individual and the autonomy of the university can be insured.

Finally, in the event that a member of the university violates the laws of the land in reference to the university, then the university may, as a legal entity take action against the individual.

## Student Rights

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citizens, students should enjoy the same freedom of speech, assembly, and right of petition that other citizens enjoy and, as members of the academic community, they are subject to the obligations which accrue to them by virtue of this membership.

### b) University Authority and Civil Penalties

Activities of students may upon occasion result in violation of law. In such cases, university officials should be prepared to apprise students of sources of legal counsel and may offer other assistance. Students who violate the law may incur penalties prescribed by civil authorities, but university authority should never be used merely to duplicate the function of general laws. Only where the institution's interests as an academic community are distinct and clearly involved should the special authority of the university be asserted.

## VI. DISCIPLINE

In developing responsible student conduct, disciplinary proceedings play a role substantially secondary to example, counselling, guidance, and admonition. At the same time, the University Community has a duty and the corollary disciplinary powers to protect their educational purpose through the setting of standards of scholarship and conduct for the students who attend them and through the regulation of the use of institutional facilities. In the exceptional circumstances when the preferred means fail to resolve problems of student conduct, proper procedural safeguards should be observed to protect the student from the unfair imposition of serious penalties. The administration of discipline should guarantee procedural fairness to an accused student. The jurisdictions of the disciplinary committees of the university community should be clearly formulated and communicated in advance.